

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, February 15, 2006
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118

BRIEFING SESSION

Attendance:

Mayor Russ Wall

Council Members:

Chairman Morris Pratt
Vice-Chairman Jerry Rechtenbach
Council Member Bud Catlin
Council Member Les Matsumura
Council Member Lynn Handy

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Virginia Loader, City Recorder
Robin Kishiyama, Council Coordinator
Mark McGrath, Community Development Director

BRIEFING SESSION

Chairman Morris Pratt conducted the Briefing Session, which convened at 6:05 p.m. The Council reviewed the Administrative Report for Community Development, after which the agenda was discussed.

REGULAR MEETING

Attendance:

Mayor Russ Wall

Council Members:

Chairman Morris Pratt
Vice-Chairman Jerry Rechtenbach
Council Member Bud Catlin
Council Member Les Matsumura

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Mark McGrath, Community Development Director
Gerry Orr, City Finance Director

Council Member Lynn Handy

Virginia Loader, City Recorder
Robin Kishiyama, Council Coordinator
Donald Adams, Economic Development Director
Larry Marx, Chief of Police
Elaine Waegner, Volunteer/Event Coordinator

Citizens: Harlan Christmas, Katie Larsen, Brent and Kristie Overson, Chuck Taylor, Cathy McKittrick, Tony and Liz McGuire, Kevyn Smeltzer, Shaun Miles, Ted Jensen, Mary Rose, Aubrey Ann Guyant, Aubrey M. Caine, Lindsey A. Braithwaite, Luis Miranda, Gaylord Scott, Kathy Ricci, Ken Donarski, Lynn Samsell, Jill Silver, Ashley Dooley, Cathy Green, Dave Woodman, Melissa Hoffman, Celeste Eggert, Josh Pederson, Phil Wymer, Steve Barum, Troy Sanders, John West, MARRISA Coulson, Judith Robertson, Melissa Bogley, Susan Eaves, Carrie Nanney, Donna Coulson, Lisa Hildebrand, Steve Hildebrand, Anne Spendlove, Craig Carlson, Donna Carlson, Liz Campbell, Cheryl Allen, Jason Wells, Richard Becksham, |Susan Becksham, Jennifer Farnsworth, Phil Weimer, Josh Pedersen, Elizabeth Vogeles,

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:35:04 Chairman Morris Pratt called the meeting to order at 6:35 p.m. and welcomed those in attendance. He then reviewed the Citizen Comment Procedures for the audience.

1.1 Pledge of Allegiance – Opening Ceremonies – *Council Vice Chair Rechtenbach*

18:36:39 Council Member Bud Catlin directed the Pledge of Allegiance.

1.2 Reverence – *Council Vice Chair Rechtenbach* (Opening Ceremonies for March 1, 2006 to be arranged by Youth Council)

18:37:23 Council Member Lynn Handy offered the Reverence.

18:38:14 Council Chairman Morris Pratt welcomed Boy Scout Troop 574.

18:38:38 Council Member Les Matsumura **MOVED** to address agenda Item 3.1 – Appointment of Taylorsville City Youth Council – at this time. Council Member Bud Catlin **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Rechtenbach-yes, Catlin-yes, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members voted in favor and the motion passed unanimously.**

3. APPOINTMENTS

3.1 Aleena Shahid, Ashley Lynn Moutsos, Aubrey Ann Guyant, Aubrey M. Caine, Lindsey A. Braithwaite, Luis Miranda, Tiago Barrow Alencar and Wendy Vu – 2006 Taylorsville City Youth Council – *Chairman Pratt*

Chairman Pratt recognized Aleena Shahid, Ashley Lynn Moutsos, Aubrey Ann Guyant, Aubrey M. Caine, Lindsey A. Braithwaite, Luis Miranda, Tiago Barrow Alencar, and Wendy Vu and nominated them to serve as members of the 2006 Taylorsville City Youth Council.

18:40:09 Council Member Les Matsumura **MOVED** to appoint Aleena Shahid, Ashley Lynn Moutsos, Aubrey Ann Guyant, Aubrey M. Caine, Lindsey A. Braithwaite, Luis Miranda, Tiago Barrow Alencar, and Wendy Vu as members of the 2006 Taylorsville City Youth Council. Council Member Bud Catlin **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Rechtenbach-yes, Catlin-yes, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members voted in favor and the motion passed unanimously.**

Chairman Pratt thanked City Employee Elaine Waegner for her advisory role with the City Youth Council.

1.3 Citizen Comments

18:41:50 Chairman Morris Pratt called for any citizen comments other than those comments regarding the Dog Park agenda item, which will be addressed later in the meeting.

1.4 Mayor's Report

18:42:38 Mayor Russ Wall noted that Mary Rose has been delayed, due to weather, and requested that Item 1.4.1 be postponed until she arrives.

3. REPORTS

2.1 Salt Lake County Public Works, 1st and 2nd Quarter Report –*Kevyn Smeltzer*

18:43:14 Kevyn Smeltzer, of Salt Lake County Public Works, presented reports from the first and second quarter of the fiscal year for services performed in Taylorsville. He reported that his department conducted an inventory of Taylorsville street corners in December to determine ADA ramp placements. Mr. Smeltzer said that he will provide more information if requested.

1.4.1 Recognition of Mary Rose

18:46:55 Mayor Wall recognized Taylorsville citizen Mary Rose and read a proclamation, which he then presented to her. Mary Rose will be 104 years old on February 26, 2006. Chairman Pratt thanked former Council Member Ken Cook for bringing this matter to the City's attention and noted that Mary Rose may be the oldest living resident of Taylorsville

2.2 Salt Lake County Animal Services – *Ken Miles*

18:50:08 In view of Ken Miles' absence, Shaun Martin of Salt Lake County Animal Services, presented a quarterly report on activities within Taylorsville.

2.3 Unified Fire Authority – *Chief Berry*

18:53:14 In view of UFA Chief Don Berry's absence, Gaylord Scott referenced the quarterly report on fire services performed in the City of Taylorsville during the previous quarter. He addressed questions from the Council. Captain Scott noted that the new apparatus will be arriving and Taylorsville should be getting the new engine for Station 17 within the next 45 to 60 days.

2.4 Taylorsville Youth Football – *Chuck Taylor*

18:56:04 Chuck Taylor updated the Council on the status of finding a playing field for the Youth Football program in Taylorsville. He stated that he would still like to investigate the possibility of using Millrace Park for a playing field. Mayor Wall responded to a question regarding working with the School Districts and Salt Lake County. City Administrator John Inch Morgan commented that Salt Lake County Council Chairman Michael Jensen would likely be an ally with the school districts, as well as Salt Lake County Mayor Peter Corroon.

19:00:00 Council Member Pratt recognized Luis Miranda as a Youth City Council applicant and noted that his appointment was approved earlier in the meeting.

19:00:41 **4. CONSENT AGENDA**

4.1 Minutes -- SCCM 01-11-06, CCWS 01-11-06, RCCM 01-18-06, RCCM 02-01-06 and CCWS 02-08-06

3.2 Set Date and Time for the Mid-Year Budget Public Hearing of the Amended Fiscal Year 2005-2006 Budget for March 1, 2006, at 6:30 p.m.

Council Member Les Matsumura **MOVED** to adopt the Consent Agenda. Council Member Bud Catlin **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-yes, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members voted in favor and the motion passed unanimously.**

19:01:42 Council Member Jerry Rechtenbach **MOVED** to address Agenda Item 6.1 – Public Hearing for CDBG Grant funds before Planning Matters. Council Member Les Matsumura **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-yes, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members voted in favor and the motion passed unanimously.**

19:03:39 **6.1 Public Hearing – 6:30 p.m. – To Receive Public Comment on the Community Development Block Grant (CDBG) Funds – Kathy Ricci**

19:02:34 Kathy Ricci, CDBG Administrator, introduced applicants who are requesting assistance through CDBG funds.

19:03:39 Chairman Pratt opened the public hearing and asked applicants to come forward and make comment.

19:03:59 Lynn Samsell, of Life Care, explained that Life Care services provide minor home repairs that can be done by handyman, rather than a contractor. He then addressed questions from the City Council. Mr. Samsell reported that Life Care assisted 408 Taylorsville residents in 2005.

19:11:42 Ken Donarski, Taylorsville Senior Center Manager, said that his request is for a generator for the Senior Center to be used in case of an emergency, such as a power outage or if the Senior Center is used as an emergency facility location. He then addressed questions from the City Council.

19:23:28 Ken Donarski then addressed a request for a Senior Center Van Driver. He said that the van provides 1400 one-way rides. Mr. Donarski stated that the van is used extensively and he appreciates having both van drivers.

19:23:52 Chairman Morris Pratt recognized members of Scout Troop 3771, who were in attendance.

19:24:24 Jill Silver, Big Brothers and Sisters of Utah, explained that their program is currently serving 33 Taylorsville children. She said that, due to lack of funding, there are six Taylorsville children that are waiting for a mentor. She then addressed questions from the City Council.

19:26:18 Ashley Dooley, YMCA, explained that YMCA offers after and before school programs and they are requesting funds to continue that program within Taylorsville. She said that the cost per child is approximately \$100 per child per month.

19:28:07 Cathy Green, Utah Food Bank, explained that the Utah Food Bank collects and distributes food to hungry citizens. She explained that they are requesting money for packaging supplies. She then responded to questions from the City Council.

19:39:10 Dave Woodman and Melissa Hoffman, Emergency Home Repair, explained their request for services and reported that 26 repairs were performed by licensed contractors for Taylorsville residents whose income was approximately \$995 per month.

19:48:45 Celeste Eggert, Road Home Homeless Shelter, requested funding to support the main homeless shelter, as well as the winter housing shelter. She said that there is a waiting list for the shelters. She said that during 2004 they served one client for 47 days from the City of Taylorsville. Ms. Eggert then addressed questions from the City Council.

19:53:33 Josh Pederson, 211 Info Bank, said that 211 Info. Bank provides a service for those who need help or want to give help. He said that they serviced 68,000 requests for help during 2005. He said that most requests are for healthcare, food and housing needs. He then addressed questions from the City Council.

19:59:55 Phil Weimer, Community Health Centers, explained that Community Health Centers provides medical, dental and mental health care services for uninsured low income residents. He explained statistics and addressed questions from the City Council.

20:03:55 There were no additional comments and Chairman Pratt declared the public hearing closed.

20:04:19 Council Chairman Pratt clarified that this item will be discussed further at the March 1, 2006 Regular City Council Meeting.

5. PLANNING MATTERS

5.1 Public Hearing – 6:30 p.m. – To Receive Public Comment on Proposed Ordinance to Amend the MD-1 and MD-3 Mixed Development Zoning

Regulations Contained within Chapter 13.24 of the Zoning Title – *Mark McGrath*

20:05:09 Community Development Director Mark McGrath stated that in response to development objectives stated by Cottonwood Partners, the City has prepared amendments to the MD-1 and MD-3 Mixed Development zoning regulations. He explained that the proposed amendments facilitate development of the City Center and improve the language of the ordinance. Mr. McGrath noted that the amendments will make many uses permitted rather than conditional.

20:07:42 Mr. McGrath then addressed questions from the City Council.

20:11:35 Chairman Morris Pratt opened the public hearing on this matter and called for citizen input.

20:11:38 There were no citizen comments, and Chairman Pratt declared the Public Hearing closed.

5.1.1 Ordinance No. 06-05 – Amending the MD-1 and MD-3 Mixed Development Zoning Regulations Contained Within Chapter 13.24 of the Zoning Title

20:12:23 Council Member Jerry Rechtenbach **MOVED** to adopt Ordinance No. 06-05 – Amending the MD-1 and MD-3 Mixed Development Zoning Regulations Contained Within Chapter 13.24 of the Zoning Title. Council Member Lynn Handy **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-yes, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members voted in favor and the motion passed unanimously.**

5.2 Public Hearing – 6:30 p.m. – To Receive Public Comment on Proposed Ordinance to Amend the City Center Small Area Master Plan Affecting 19.6 Acres of Property Located Approximately at the Northeast Corner of 2700 West and 5400 South – *Mark McGrath*

20:13:23 Community Development Director Mark McGrath referenced an application submitted by Cottonwood Partners to amend the City Center Small Area Master Plan to facilitate a pending development proposal for the Taylorsville City Center.

20:14:22 Mr. McGrath said that the proposed Small Area Master Plan addresses the following:

- Orientation of buildings
- Relationship of buildings and parking lots
- Increased visibility of parking from 5400 South
- Increased number of parking stalls
- Identifies site plan amendments

20:15:15 Mr. McGrath then addressed questions from the City Council regarding replacement of a properly landscaped park strip.

20:21:57 Applicant Steve Barum, Cottonwood Partners, along with 20:35:35 Troy Sanders and John West, presented a comprehensive presentation of the City Center Small Area Master Plan.

20:35:20 Steve Barum again addressed the City Center Small Area Master Plan. Questions from the City Council were answered.

20:38:57 Troy Sanders further explained the Small Area Master Plan with building placements and building elements within the City Center.

20:43:22 Steve Barum explained proposed signage and lighting for the City Center project.

20:47:17 Chairman Pratt opened the public hearing on this matter and called for any citizen comments.

20:47:22 There were no citizen comments and Chairman Pratt declared the public hearing closed.

5.2.1 Ordinance No. 06-04 – Amending the City Center Small Area Master Plan Affecting 19.6 Acres of Property Located Approximately at the Northeast Corner of 2700 West and 5400 South

20:47:50 Questions were addressed by Mr. McGrath in regards to parking ratios.

20:50:38 Mr. Barum explained that they have hired a transportation consultant to address parking ratios.

20:51:22 Council Member Bud Catlin **MOVED** to adopt Ordinance No. 06-04 – Amending the City Center Small Area Master Plan Affecting 19.6 Acres of Property Located Approximately at the Northeast Corner of 2700 West and 5400 South. Council Member Lynn Handy **SECONDED** the motion. Chairman Pratt called for discussion on the motion. 20:51:56 Mr. Catlin clarified that his motion does not include the three provisions. 20:54:46 Discussion ensued and Mr. Catlin amended his motion to approve Ordinance No. 06-04, with the following

condition: "Applicant shall be required to submit a final copy of CCSAMP amendment in a reproducible and/or electronic format acceptable to the City." Council Member Lynn Handy reaffirmed his second.

20:56:59 Additional discussion was held regarding the amendments.

20:57:48 Steve Barum gave clarification.

20:58:16 Chairman Pratt restated the motion. 20:58:43 Mr. McGrath gave explanation regarding Recommendation No. 3.

20:59:52 Steve Barum commented on the language referred to in Recommendation No. 3.

Council Member Catlin called for a question on the motion. There being none, Chairman Pratt called for a roll call vote on the motion in question. The vote was as follows: Rechtenbach-yes, Catlin-yes, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members voted in favor and the motion passed unanimously.**

5.3 Ordinance No. 06-01 – Amending Various Regulations of the Taylorsville Subdivision Title to Comply with Recent Amendments to the State of Utah Land Use and Development Management Act

5.4 Ordinance No. 06-02 – Amending Various Regulations of the Taylorsville Zoning Title to Comply with Recent Amendments to the State of Utah Land Use and Development Management Act

5.5 Ordinance No. 06-03 – Adopting the Zoning Regulations Regarding Residential Facilities for Elderly Persons and Persons with a Disability to Comply with Recent Amendments to the State of Utah Land Use and Development Management Act

21:01:07 City Attorney John Brems explained that Taylorsville has prepared a series of City Code amendments within the Subdivision and Zoning titles in order to comply with recent legislative changes made to the State of Utah Land Use Development and Management Act (LUDMA).

21:02:00 Council Member Les Matsumura **MOVED** to adopt Ordinance No. 06-01, 06-02, and 06-03. Council Member Bud Catlin **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-yes, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members voted in favor and the motion passed unanimously.**

5.6 Resolution No. 06-12 – Expressing Strong Opposition to Senate Bill 170, Land Use Amendments and Requesting that Taylorsville City’s Senators and Representatives Vote Against This Bill – *Mayor Wall/Donald Adams*

21:03:01 Council Member Lynn Handy **MOVED** to table Ordinance No. 06-12 since Senate Bill 170, regarding Land Use Amendments, has been pulled and revised. Council Member Les Matsumura **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-yes, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members voted in favor and the motion passed unanimously.**

6. FINANCIAL MATTERS

6.2 Resolution No. 06-11 – Authorizing and Directing the Mayor to Submit a Grant Application to the Utah Department of Transportation Enhancement Grant Funding for the Freeway Entrance/Exit at I-215 and Redwood Road – *Donald Adams*

21:03:43 Economic Development Director Don Adams called for approval to submit a grant application through UDOT for an Enhancement Grant for the south portion of the I-215 and Redwood Road interchange. He then addressed questions from the City Council.

21:07:41 Council Member Les Matsumura **MOVED** to adopt Resolution No. 06-11 – Authorizing and Directing the Mayor to Submit a Grant Application to the Utah Department of Transportation Enhancement Grant Funding for the Freeway Entrance/Exit at I-215 and Redwood Road. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-out of room, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members voted in favor and the motion carried.**

6.3 Resolution No. 06-13 – Approving an Interlocal Cooperative Agreement with the Utah Department of Transportation for I-215; Redwood Road Ramp Enhancements and Federal Participation for Preconstruction and Construction Reimbursement – *Donald Adams*

21:08:40 Economic Development Director Don Adams called for approval of an Interlocal Agreement with UDOT authorizing the bid and construction of the I-215 Interchange Landscape Project.

21:09:42 Council Member Lynn Handy **MOVED** to adopt Resolution No. 06-13 – Approving an Interlocal Cooperative Agreement with the Utah Department of Transportation for I-215;

Redwood Road Ramp Enhancements and Federal Participation for Preconstruction and Construction Reimbursement. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-out of room, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members voted in favor and the motion carried.**

Council Member Bud Catlin was excused from the meeting at this time.

7. OTHER MATTERS

7.1 Ordinance No. 06-06 – Adopting Chapter 9.61 Entitled “Parks” – John Brems

Chairman Morris Pratt called for Public Comment regarding the Off-Leash Area at this time.

21:10:37 **Marissa Coulson** spoke in favor of keeping the Dog Park open and at its current location.

21:14:02 **Judith Robertson** spoke in favor of keeping the Dog Park open.

21:15:37 **Liz McGuire** commented on the proposed ordinance regarding “Parks”.

21:17:41 **Tony McGuire** identified some of the problems regarding the Off-Leash area and said that they should not be attributed to the users. He expressed his feeling that the City Council has not addressed this issue properly.

21:19:23 **Liz Campbell** directed her comments to the rules for the Off-Leash Park.

21:21:52 **Melissa Bogley** spoke in favor of keeping the Off-Leash Park open.

21:23:32 **Susan Eaves** spoke in opposition to issuing tickets to those who do not clean up after their dogs.

21:25:50 **Carrie Nanney** explained that if the City does not allow non-residents to use the park, the use of the park will greatly decrease. She said that the users’ ideas and proposals have been ignored.

21:27:48 **Donna Coulson**, spoke in support of the park and the users.

21:30:06 City Attorney John Brems referenced the proposed ordinances, with recommended changes to the Parks Chapter of the City Ordinance.

21:30:55 It was agreed that the first rule of the Skateboard Park should be changed to: "The Skateboard Park shall be closed 30 minutes after sunset."

21:31:32 Council Member Les Matsumura addressed concerns about costs for policing and improving the park, etc. Discussion was held regarding the possibility of requiring permits and and/or imposing fees.

21:34:36 Lengthy discussion was held regarding several options, including potential fee rates for maintenance of the park, monitoring use of the park, implementing card key access, closing the park, etc.

21:40:33 Council Member Rechtenbach stated that he cannot support an ordinance that commits more Taylorsville funding to this park. He said he is ready to consider closing the park down.

21:48:17 Chairman Pratt asked Mr. Brems for clarification regarding the possibility of banning those individuals from the facility who abuse the park.

21:50:01 Mr. Pratt outlined some proposed additions/modifications, i.e. changing the rule regarding closing time for the Skate Board Park per Mr. Brems' suggestion; implementing an annual fee for use of the park at \$10.00 per dog for residents and \$25.00 per dog for non-residents; and including language that stipulates that annual permits not be renewed for unresolved violations.

21:51:05 Discussion was held regarding the hours for the off-leash park and the issuance of dog tags through Salt Lake County Animal Services for use of the park.

21:59:11 Council Member Rechtenbach reiterated his concerns regarding enforcing the proposed ordinance. Council Member Matsumura cited the proposed fees as excessive.

22:07:03 Council Member Lynn Handy **MOVED** to approve Ordinance 06-06 -- Adopting Chapter 9.61 Entitled "Parks," with an amendment to Section 9.61.170 to read \$50.00 for the first offense, \$100.00 for the second and subsequent offenses and a provision to add a fee schedule for \$10 per dog for residents per year and \$25.00 per dog for non-residents per year; also including an amendment to the hours for the Skateboard Park to be ½ hour after sunset. Council Member Les Matsumura **SECONDED** the motion. 22:09:43 Mayor Wall suggested stating in the park rules for the off-leash park that dogs are not allowed in the Tot Lot Area. Council Member Handy modified his motion accordingly to remove the 50 foot restriction, but to state in the park rules that dogs are prohibited from the Tot Lot. Council Member Les Matsumura reaffirmed his second. Council Member Pratt called for clarification on handling unresolved violations. It was determined that the issue of revoking tags will be investigated further and brought back to the Council at a later time, if appropriate. 22:11:50 Council Chair

Pratt restated the motion and called for a roll call vote. The vote was as follows: Rechtenbach-no, Catlin-excused, Pratt-yes, Handy-yes, and Matsumura-yes. **The motion passed with a 3 to 1 vote.**

22:14:16 Chairman Pratt called for clarification on when the ordinance should go into effect.

22:15:28 Council Member Lynn Handy amended his motion to include an effective date for the ordinance of July 1, 2006, with all other proposals standing as previously approved. Council Member Les Matsumura **SECONDED** the amendment. Council Chair Pratt restated the amended motion and called for a roll call vote. The vote was as follows: Rechtenbach-no, Catlin-excused, Pratt-yes, Handy-yes, and Matsumura-yes. **The amended motion passed with a 3 to 1 vote.**

7.2 Resolution No. 06-14 – Designating a Time and Place to Receive Evidence from an Applicant Regarding a Request for an Exception to the Standards for Roadway Development – *John Brems*

22:16:33 City Attorney John Brems presented the subject resolution designating a time and place to receive evidence from an applicant regarding a request for an exception to the standards for roadway development. He explained that the Council received a request for exemption to standards for roadway development from B&K II, LLC, regarding the Millrace Subdivision. Mr. Brems then addressed questions from the Council.

22:20:29 Council Member Jerry Rechtenbach **MOVED** to adopt Resolution No. 06-14. Council Member Les Matsumura **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-excused, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members voted in favor and the motion carried.**

7.3 Resolution No. 06-15 – Consenting to the Appointment of a Hearings Officer – *John Inch Morgan*

22:21:30 City Attorney John Brems presented the subject resolution allowing the Mayor to appoint Scott Lundberg as a Hearings Officer upon the advice and consent of the Council. He noted that the Hearings Officer would have the power and authority to preside at and conduct hearings to resolve the matter regarding an appeal from B&K II with respect to the Millrace Subdivision. Questions from the Council were addressed by Mr. Brems and Mayor Wall.

22:24:45 Council Member Les Matsumura **MOVED** to adopt Resolution No. 06-15 – Consenting to the Appointment of Scott Lundberg a Hearings Officer. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Pratt called for discussion on the motion.

There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-excused, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members voted in favor and the motion carried.**

22:25:43 John Brems reminded the Council that it will be sitting as an appellant body and will make a determination on the evidence that is presented. He noted that ex parte communication is frowned upon.

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

22:26:44 John Inch Morgan noted that Finance Director Gerry Orr has prepared amendments to the Mid-Year Budget, as discussed in the previous Council Meeting. He stated that City Recorder Virginia Loader has a copy of the amended Mid-Year Budget that is available for public inspection prior to the public hearing in March.

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

22:27:19

- 9.1 City Council Briefing Session – Wednesday, March 1, 2006 – 6:00 p.m.
- 9.2 City Council Meeting – Wednesday, March 1, 2006 – 6:30 p.m.
- 9.3 City Council Work Session – Wednesday, March 8, 2006 – 6:00 p.m.
- 9.4 City Council Briefing Session – Wednesday, March 15, 2006 – 6:00 p.m.
- 9.5 City Council Meeting – Wednesday, March 15, 2006 – 6:30 p.m.

10. CALENDAR OF UPCOMING EVENTS

- 10.1 Taylorsville Community Orchestra Free Concerts, Saturday, March 4, 2006, 7:30 p.m., and Saturday, April 29, 2006, 7:30 p.m., Eisenhower Junior High, 4351 South Redwood Road
- 10.2 Wednesday, June 28 through Saturday, July 1 – Taylorsville Dayzz 2006
- 10.3 Taylorsville Art Show – Saturday, February 19, 2006

11. ADJOURNMENT

22:28:21 Council Member Jerry Rechtenbach **MOVED** to adjourn the City Council Meeting. Council Member Les Matsumura **SECONDED** the motion. Chairman Pratt called for discussion. There being none, he called for a vote. The vote was as follows: Rechtenbach-yes, Catlin-yes,

Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 10:28 p.m.

Virginia Loader, City Recorder

Minutes approved: CC 02-15-06

Minutes Prepared by: Virginia Loader/Cheryl Peacock, Deputy Recorder